

EMERGENCY PROCUREMENT

Introduction

- Presenters:
 - David Mahr, MEMA CFO
 - Tina Urato, MEMA Procurement
 - Brian O'Donnell, OIG
 - Richelle Waterman, OSD
- Audience:
 - EMD's and Business Managers
- Theme:
 - Success relies on existing practices and planning

Topics

- Key Principles
- Chapter 30B Provisions
- Statewide Contracts
- FEMA Reimbursement

Principle 1

DON'T WAIT!!

- Procurement Precedes an Emergency
- Update existing contracts for emergency pricing and delivery
- Bid new contracts in anticipation
- Coordinate early and often

Key Principles

- Maintain/Amplify Good Business Practice
 - Best value, FWA, transparency
- Follow Consistent Internal Controls
 - Changes in procedures are red flags
- Federal and state requirements will apply
 - Provisions may change; but they don't disappear
- Documentation
 - Cradle to grave using source documentation

Emergency Procurements

Presented by
Office of the Inspector General

FEMA
Holyoke, MA
December 19, 2012

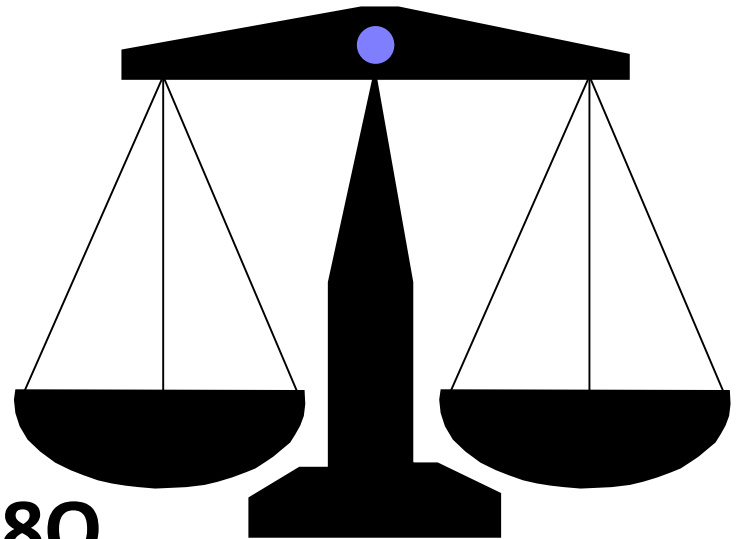
Major Public Bidding Laws

M.G.L. c. 149

M.G.L. c. 30, §39M

M.G.L. c. 7, §§ 38A½-38O

M.G.L. c. 30B



M.G.L. c. 149

- building projects costing \$10,000 or more

M.G.L. c. 30, §39M

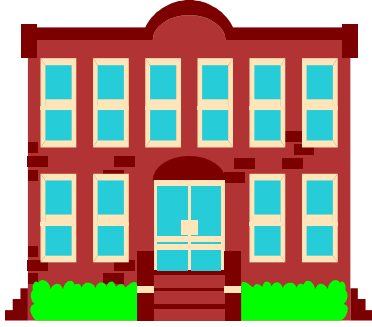
- public works projects estimated to cost \$10,000 or more

M.G.L. c. 30B

- supplies, services, and real property
- public works projects estimated to cost \$10,000 to \$24,999

Emergencies

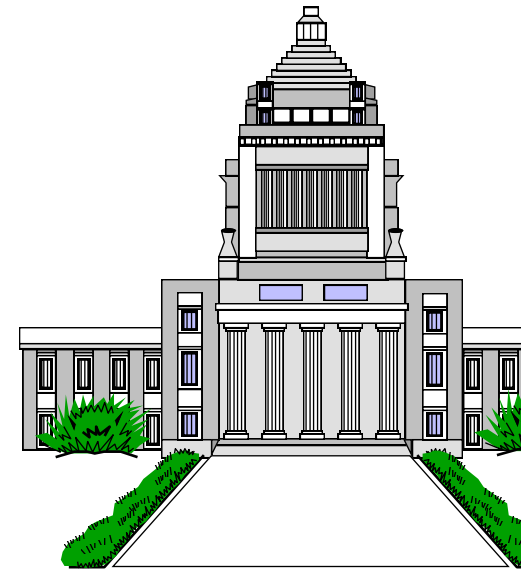
- See the OIG's "[Designing and Constructing Public Facilities Manual](#)," for the following:
- Design services, Chapter 2, page 31;
- Public building construction, Chapter 5, pages 84-85; and
- Public works construction, Chapter 6, page 97.
- health or safety of people or property endangered by time required for compliance



M.G.L. Chapter 30B

Applies to

- cities & towns (including boards, commissions, agencies, authorities and departments)
- counties
- districts
- regional school districts



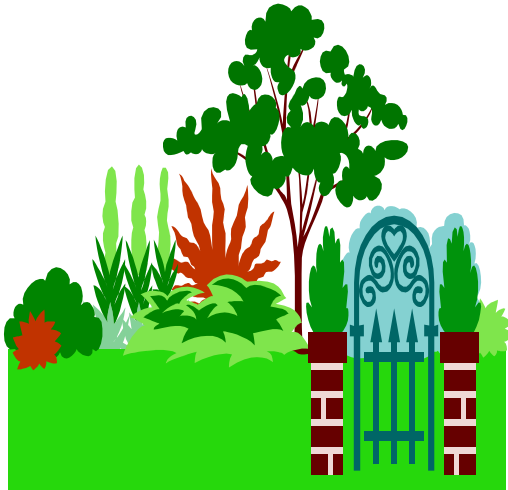
M.G.L. Chapter 30B

Applies to:

- acquiring
 - supplies
 - services
 - real property



- and disposing of
 - surplus supplies
 - real property



Emergency Contracts



- When the time needed to comply with any requirement of c. 30B would **endanger** the **health** or **safety** of **people** or **property**, you **may** waive that requirement.
- You **must** comply with c. 30B to the extent practicable.

Emergency Contracts

- Document the basis for determining that the **emergency** exists, with:
 - > vendor's name
 - > contract amount and type
 - > list of the supplies or services procured
- Submit the **record** of **emergency** procurement to the [Goods and Services Bulletin](#).

Office of the Inspector General Support Services

Massachusetts Certified Public Purchasing Official (MCPPO) programs:

- Public Contracting Overview
- Supplies & Services
- Design & Construction
- CM at Risk



Three day courses / Reasonable prices

CPE & PDP credits

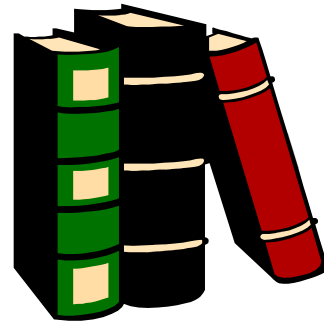
617.723.2334 (fax form to register)

617.727.9140 ext. 28835 (questions)

Office of the Inspector General Support Services

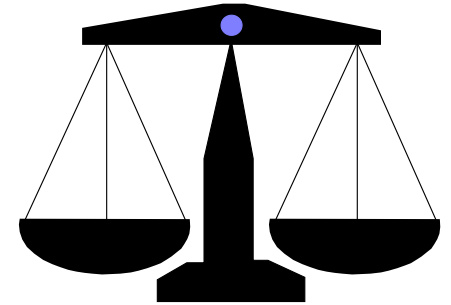
Guides & References

- *Municipal, County, District, & Local Authority Procurement of Supplies, Services and Real Property* (The Chapter 30B Manual)
- *Practical Guide to Writing Effective Invitations for Bids and Request for Proposals for Supplies and Services*
- *Designing and Constructing Public Facilities* (The Construction Manual)
- www.mass.gov/ig



Office of the Inspector General Support services

(617) 722-8838 (phone)
(617) 723-2334 (fax)



9:00 a.m. to 4:30 p.m.
(for chapter 30B calls)



www.mass.gov/ig

Procurement Bulletin

Other Resources

- **Attorney General's Fair Labor and Business Practices Division**

Answers questions and hears bid protests for public building construction, public works, designer selection.

617.727.2200 ext. 2371

www.mass.gov/ag

C. 149, C. 30, s 39M, C. 7, ss 38A ½ -O

Other Resources

- **Division Of Occupational Safety**
(Prevailing wage)

Contact for the prevailing wage
rate sheets and for prevailing
wage questions.

617.727.3492

www.mass.gov/dos

Other Resources

- **Secretary of State**

(Goods & Services Bulletin/Central Register)

617.727.9136

(Public Records Division)

617.727.2832

www.mass.gov/sec

Other Resources

- **State House Book Store**
(Purchase OIG Manuals)
617.727.2590
 - *Municipal, County, District, & Local Authority Procurement of Supplies, Services and Real Property* (**The Chapter 30B Manual**)
 - *Designing and Constructing Public Facilities* (**The Construction Manual**)

Other Resources

Division of Capital Asset Management
(DCAM)

617.727.4050

www.mass.gov/cam

Designer Selection Board

617.727.4046

www.mass.gov/cam/dsb.htm

Overview of Presentation

Agenda:

1. OSD's Role and Responsibilities
2. Other types of Emergencies
3. Being Prepared
4. Where can I find more information?

1. OSD's Role and Responsibilities

How has OSD assisted entities in the past?



- Floods
- Snow Emergencies
- Hurricane Alerts
- Tornadoes

2. Other Types of Emergencies

Access to Statewide Contracts are available before, during and after emergencies




- Power outages
- Fires/explosions
- Emergency related goods or services
- Recover/repair services

3. Being Prepared: Statewide Contracts



OPERATIONAL SERVICES DIVISION
THE OPERATIONS, TRAINING, AND AUDIT OFFICE

Using the Emergency Supplies, Services and Equipment Response Guide

<div>How to use: This document provides a list of equipment, services, and materials available for emergency response. It is intended for use by the Operations, Training, and Audit Office (OTAO) and the Emergency Management Agency (EMA).</div> <div>This guide is organized into three main sections:</div> <div><div>1. Supplies: A list of various supplies, including food, clothing, and medical supplies.</div><div>2. Services: A list of various services, including cleaning, maintenance, and security.</div><div>3. Equipment: A list of various pieces of equipment, including vehicles, tools, and communication equipment.</div></div> <div>For more information, please contact the OTAO or EMA.</div> <div>Revised: </div> <div>Other Emergency Services:</div> <div>Thank you for your service.</div> <div><div>William Manager P: 617-721-1111 C: 857-345-6789</div><div>In Emergencies: C: 857-345-6789</div></div> <div><div>1. Utilize the Guide to determine if the equipment is available for emergency response.</div><div>2. Access the equipment when needed.</div></div> <div>Contract: F Effective Date: Example: B</div> <div>Contract: DCR Effective Date: Example: B</div> <div>Contract: H Effective Date: Example: B</div> <div>Contract: G Effective Date: Example: B</div> <div>Contract: F Effective Date: Example: B</div> <div>Contract: DCR Effective Date: Example: B</div> <div>Contract: H Effective Date: Example: B</div> <div>Contract: G Effective Date: Example: B</div> <div><div>Section 2:</div><div>Generators</div><div>Contract: Commonwealth Entity Assets (DCR, MA-DOT, DFS, MANG) Contact MEMA on availability status. Effective Date: N/A Example: Combo light tower generator, Portable, Trailer Mounted, and Truck Mounted</div><table><thead><tr><th>Agency</th><th>Qty</th><th>Size/Model</th><th>Location</th><th>Additional Info</th></tr></thead><tbody><tr><td>DCR</td><td>1</td><td>5K</td><td>Blackstone Valley State Park</td><td></td></tr><tr><td>DCR</td><td>1</td><td>5K</td><td>Douglas State Park</td><td></td></tr><tr><td>DCR</td><td>2</td><td>5K</td><td>Quinsigamond State Park</td><td></td></tr><tr><td>MA-DOT</td><td>1</td><td>EG5000X</td><td>District 1</td><td>Truck Mounted</td></tr><tr><td>MA-DOT</td><td>1</td><td>EB3500</td><td>District 1</td><td>Portable</td></tr><tr><td>MA-DOT</td><td>1</td><td>EB6500X</td><td>District 1</td><td>Portable</td></tr><tr><td>MA-DOT</td><td>2</td><td>CH250</td><td>District 1</td><td>Portable</td></tr><tr><td>MA-DOT</td><td>1</td><td>450K</td><td>District 1</td><td>Portable</td></tr><tr><td>MA-DOT</td><td>2</td><td>SEN20FGN4</td><td>District 1</td><td>Trailer Mounted</td></tr><tr><td>MA-DOT</td><td>2</td><td>CH250</td><td>District 1</td><td>Portable</td></tr><tr><td>MA-DOT</td><td>1</td><td>01006-1</td><td>District 1</td><td>Portable</td></tr><tr><td>MA-DOT</td><td>1</td><td>DX4500</td><td>District 1</td><td>Portable</td></tr><tr><td>MA-DOT</td><td>2</td><td>EB6500X</td><td>District 2</td><td>Portable</td></tr><tr><td>MA-DOT</td><td>1</td><td>GA3.6 Hz400Watts</td><td>District 2</td><td>Portable</td></tr><tr><td>MA-DOT</td><td>3</td><td>7000K</td><td>District 3</td><td>Trailer Mounted</td></tr><tr><td>MA-DOT</td><td>7</td><td>ELEC11K</td><td>District 4</td><td>Portable</td></tr><tr><td>MA-DOT</td><td>1</td><td>4000K</td><td>District 4</td><td>Portable</td></tr><tr><td>MA-DOT</td><td>4</td><td>11K</td><td>District 5</td><td>Portable</td></tr><tr><td>MA-DOT</td><td>3</td><td>7000K</td><td>District 5</td><td>Trailer Mounted</td></tr><tr><td>MA-DOT</td><td>3</td><td>480V</td><td>District 6</td><td>Portable</td></tr><tr><td>MA-DOT</td><td>1</td><td>50K</td><td>MBTA</td><td>Trailer Mounted</td></tr><tr><td>MA-DOT</td><td>2</td><td>45K</td><td>MBTA</td><td>Trailer Mounted</td></tr><tr><td>MA-DOT</td><td>2</td><td>12K</td><td>MBTA</td><td>Trailer Mounted</td></tr><tr><td>MA-DOT</td><td>2</td><td>7.5K</td><td>MBTA</td><td>Trailer Mounted</td></tr><tr><td>DFS</td><td>6</td><td>8K</td><td>Stow</td><td>Combo light tower generator</td></tr><tr><td>DFS</td><td>2</td><td>70K</td><td>Stow</td><td>Trailer Mounted</td></tr></tbody></table></div>	Agency	Qty	Size/Model	Location	Additional Info	DCR	1	5K	Blackstone Valley State Park		DCR	1	5K	Douglas State Park		DCR	2	5K	Quinsigamond State Park		MA-DOT	1	EG5000X	District 1	Truck Mounted	MA-DOT	1	EB3500	District 1	Portable	MA-DOT	1	EB6500X	District 1	Portable	MA-DOT	2	CH250	District 1	Portable	MA-DOT	1	450K	District 1	Portable	MA-DOT	2	SEN20FGN4	District 1	Trailer Mounted	MA-DOT	2	CH250	District 1	Portable	MA-DOT	1	01006-1	District 1	Portable	MA-DOT	1	DX4500	District 1	Portable	MA-DOT	2	EB6500X	District 2	Portable	MA-DOT	1	GA3.6 Hz400Watts	District 2	Portable	MA-DOT	3	7000K	District 3	Trailer Mounted	MA-DOT	7	ELEC11K	District 4	Portable	MA-DOT	1	4000K	District 4	Portable	MA-DOT	4	11K	District 5	Portable	MA-DOT	3	7000K	District 5	Trailer Mounted	MA-DOT	3	480V	District 6	Portable	MA-DOT	1	50K	MBTA	Trailer Mounted	MA-DOT	2	45K	MBTA	Trailer Mounted	MA-DOT	2	12K	MBTA	Trailer Mounted	MA-DOT	2	7.5K	MBTA	Trailer Mounted	DFS	6	8K	Stow	Combo light tower generator	DFS	2	70K	Stow	Trailer Mounted
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Where is the guide located?



Mass.gov State Agencies | State A-Z Topics | State Forms Alert - No Active Alerts Skip to main content | Need help resizing text?

The Official Website of the Executive Office for Administration and Finance

Administration and Finance

Search... in Administration and Finance SEARCH

Budget, Taxes & Procurement | Employment, Equal Access, Disability | Property Management & Construction | Hearings and Appeals | Research & Technology | Employee Insurance & Retirement Benefits

Home > Budget, Taxes & Procurement > Oversight Agencies >

Operational Services Division

OSD Programs

- Surplus Property Program
- Comm-PASS
- Supplier Diversity Office
- Small Business Purchasing
- Special Education Pricing
- Non-Profit Purchasing Program
- Environmentally Preferable Products (EPP)...

OSD Services

- Buy From a State Contract
- Conduct a Procurement
- Sell to the State
- Commonwealth Print Services
- Office of Vehicle Management (OVM)
- OSD Events and Training
- See All

Key Resources

- OSD Forms
- Contact OSD
- Procurement Information Center
- Comm-PASS Resource Center

Surplus Property Program

Ever wonder what happens to the personal property the state no longer needs?

For more information or to see what property is available, go to Massachusetts State Surplus Property Program

Surplus Property Program

Notice: Occasionally Surplus Property Program features expensive equipment in excellent condition; to view the featured equipment, separate from the surplus list click [Learn More](#) then click [Surplus Property Featured](#) [Learn More >](#)

OSD administers the procurement process by establishing Statewide Contracts for goods and services that ensure best value, provide customer satisfaction and support the socioeconomic and environmental goals of the Commonwealth and by providing specific operational services.

Connect with us online

OSD SDO SBPP MASSbuys MASSbuys

Incidental Purchase Threshold Level Increases

Advanced Notice: The Operational Services Division (OSD) will soon issue a new policy that will revise the procurement threshold levels, including an increase (from \$5,000 to \$10,000) to the Incidental Purchase Threshold Level. OSD and the Comptroller's Office are working to finalize the impact this policy will have on the Commonwealth's eProcurement (Comm-PASS) and accounting (MMARS) systems. The following documents from the Procurement Information Center (PIC) have been...

Online Services

- Find Contracts & Bids
- Reserve an Enterprise Car
- Subscribe to Comm-PASS
- Uniform Financial Reports

Publications and Reports

- Certified/Decertified Business Listing
- Statewide Contract Booklet Fall Edition 2012 1MB
- Statewide Contract List
- FY2011 SDO Annual Report
- SDP Annual Report 1MB
- See All

Related Links

WWW.MASS/OSD

[Publications and Reports](#)

[Emergency Services Resource Guide](#)

FEMA Reimbursement

- FEMA Fact Sheet 9580.212
- Use existing local and state procurement laws for all emergency procurements
- Meet minimum federal standards
- Document all decisions, actions, awards, and contracts (cradle to grave)
 - Lack of documentation can invalidate an otherwise valid procurement

Questions?